

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOISIN RE AQUA DOTS PRODUCTS LIABILITY  
LITIGATION

MDL No. 1940

Lead Case No. 1:07-cv-~~06387~~  
**07cv6387**

Judge David H. Coar

Magistrate Judge Nan R. Nolan

**FILED**  
APR 25 2008  
**EA**  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

THIS DOCUMENT RELATES TO: ALL  
ACTIONS

**DEFENDANT, MOOSE ENTERPRISE PTY LTD.'S MEMORANDUM IN SUPPORT  
OF ITS MOTION FOR LEAVE TO FILE AN APPEARANCE ON BEHALF OF  
DEFENDANT, MOOSE ENTERPRISE PTY LTD.**

Defendant, Moose Enterprise Pty Ltd., hereby submits the following Memorandum in support of its Motion for Leave to File an Appearance on Behalf of Defendant, Moose Enterprise Pty Ltd.

**A. Introduction**

1. Moose Enterprise Pty Ltd. (hereinafter "Moose"), was served with the Complaint in the matter of *Kim A. Cosgrove v. Spin Master, Ltd., at al.*, Case No. 2:07-7544 filed in the United States District Court for the Central District of California. An appearance was entered on behalf of Moose by its counsel of record Clinton & Clinton.

2. Moose Enterprise Pty Ltd. (hereinafter "Moose"), was also served with the Complaint in the matter of *Sandra Irene Soderstedt v. Moose Enterprise Pty Ltd.*, Case No. 2:07-7546 filed in the United States District Court for the Central District of California.

3. Defendants, Spin Master Ltd., and Spin Master, Inc. (hereinafter collectively "Spin Master"), moved pursuant 28 U.S.C. Section 1407, that all matters relating to the children's toy Aqua Dots, including the *Cosgrove* and *Soderstedt* matters, be consolidated and transferred to one Court for purposes of pre-trial discovery, MDL No. 1940.

**B. Argument**

4. On March 27, 2008, Spin Master's Motion for Consolidation and Transfer of all Aqua Dots matters came for hearing before the Judicial Panel on Multidistrict Litigation (hereinafter "JPML"), whereas all parties agreed that transfer to the Northern District of Illinois is the most appropriate forum for the In Re: Aqua Dots Products Liability Litigation.

5. On April 9, 2008, the JPML filed its Transfer Order, consolidating and transferring the In Re: Aqua Dots Products Liability Litigation to the Northern District of Illinois, and assigning said matter to the Honorable David H. Coar for coordinated or consolidated pretrial proceedings. Among the matters included in the JPML's Order were the *Cosgrove* and *Soderstedt* matters.

**C. Conclusion**

6. In light of the JPML's ruling of transfer and coordination or consolidation in the In Re: Aqua Dots Products Liability Litigation, Moose should be allowed to enter an appearance before the Honorable David H. Coar in the Northern District of Illinois, so that Moose may adequately defend itself in these matters.

Respectfully submitted,

MOOSE ENTERPRISE PTY LTD.

By:   
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